

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
CORPUS CHRISTI DIVISION

SUSAN MARIE CANAVAS

VS.

COMMISSIONER OF SOCIAL  
SECURITY

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CIVIL ACTION NO. C-11-399

**ORDER ADOPTING MEMORANDUM AND RECOMMENDATION  
ON CROSS-MOTIONS FOR SUMMARY JUDGMENT**

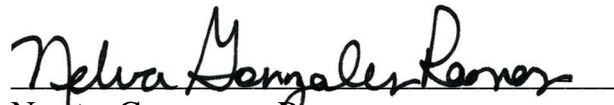
On May 22, 2012, United States Magistrate Judge Brian L. Owsley issued his “Memorandum and Recommendation on Cross-Motions for Summary Judgment” (D.E. 17). The parties were provided proper notice of, and opportunity to object to, the Magistrate Judge’s Memorandum and Recommendation. FED. R. CIV. P. 72(b); 28 U.S.C. § 636(b)(1); General Order No. 2002-13. No objections have been filed.

When no timely objection to a magistrate judge’s memorandum and recommendation is filed, the district court need only satisfy itself that there is no clear error on the face of the record and accept the magistrate judge’s memorandum and recommendation. *Guillory v. PPG Industries, Inc.*, 434 F.3d 303, 308 (5th Cir. 2005) (citing *Douglass v. United Services Auto Ass’n*, 79 F.3d 1415, 1420 (5th Cir. 1996)).

Having reviewed the findings of fact and conclusions of law set forth in the Magistrate Judge’s Memorandum and Recommendation (D.E. 17), and all other relevant documents in the record, and finding no clear error, the Court **ADOPTS** as its own the findings and conclusions of the Magistrate Judge. Accordingly, the Plaintiff’s motion for

summary judgment (D.E. 14) is **GRANTED IN PART** as to the issue regarding the ALJ's reliance on the defective hypothetical question and is **DENIED IN PART** as to the remaining issues. Defendant's motion for summary judgment (D.E. 12) is **DENIED IN PART** as to the defective hypothetical question but is **GRANTED IN PART** with respect to all other issues. This action is **REMANDED** to the Social Security Administration for further proceedings in accordance with the memorandum and recommendation.

ORDERED this 13th day of June, 2012.

  
NELVA GONZALES RAMOS  
UNITED STATES DISTRICT JUDGE